

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

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|---------------------------|---|--------------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | No. 07-00166-01-CR-W-SOW |
| |) | |
| DANIEL C. PORTILLO, |) | |
| |) | |
| Defendant. |) | |

ORDER

Before this Court is the Report and Recommendation of United States Magistrate John T. Maughmer regarding defendant's Motion for Determination of the Mental Competency of the Defendant to Stand Trial (Doc. #17). That motion was granted and a psychological or psychiatric report was received from Dr. Jeremiah Dwyer which concluded that the defendant is competent to understand the nature and consequence of the proceedings against him and to assist properly in his defense. The Report and Recommendation of the Magistrate in this case is both thorough and well-reasoned. This Court agrees with this recommendation and sees no reason to comment further. Accordingly, it is hereby

ORDERED that the Court finds that defendant Portillo is competent to understand the nature and consequence of the proceedings against him and to assist properly in his defense.

/s/ Scott O. Wright
SCOTT O. WRIGHT
Senior United States District Judge

Date: 10/31/2007